

COPY OF PAPERS
ORIGINALLY FILED

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RECOMBINANT BACTERIAL PHYTASES AND USES THEREOF, the specification of which

_____ is attached hereto.

X was filed on May 24, 2001 as U.S. Application Serial No. 09/866,379 (the "Application") (Docket No. DIVER1370-7).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the Application as defined in Title 37, Code of Federal Regulations ("C.F.R."), § 1.56.

With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.) (Filing Date)

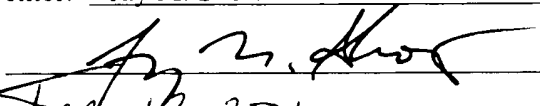
With respect to the Application, I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of the application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability of the subject matter of the

Application as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of the Application:

<u>09/580,515</u> (Application Serial No.)	<u>May 25, 2000</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/318,528</u> (Application Serial No.)	<u>May 25, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/291,931</u> (Application Serial No.)	<u>April 13, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>09/259,214</u> (Application Serial No.)	<u>March 1, 1999</u> (Filing Date)	<u>Pending</u> (Status) (patented, pending, abandoned)
<u>08/910,798</u> (Application Serial No.)	<u>August 13, 1997</u> (Filing Date)	<u>Issued (5,876,997)</u> (Status) (patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jay M. Short

Inventor's signature: 

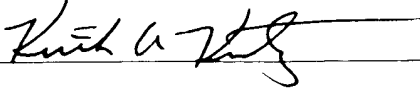
Date: December 13, 2001

Residence: Rancho Santa Fe, CA 92067

Citizenship: USA

Post Office Address: 6801 Paseo Delicias
Box 7214
Rancho Santa Fe, CA 92067-7214

Full name of second inventor: Keith A. Kretz

Inventor's signature: 

Date: 12-13-01

Residence: San Marcos, CA 92069

Citizenship: USA

Post Office Address: 973 Hawthorne Drive
San Marcos, CA 92069

Full name of third inventor: Kevin A. Gray

Inventor's signature: 


Date: 12-13-01

Residence: San Diego, CA 92131

Citizenship: USA

Post Office Address: 12119 Eleonore Court
San Diego, CA 92131

Full name of fourth inventor: Nelson Robert Barton

Inventor's signature: 

Date: 12-17-01

Residence: San Diego, CA 92131

Citizenship: USA

Post Office Address: 10928 Sunset Ridge Drive
San Diego, CA 92131

Full name of fifth inventor: James B. Garrett

Inventor's signature: James B. Garrett

Date: 12/13/01

Residence: Poway, CA 92064

Citizenship: USA

Post Office Address: 13605 Sycamore Tree Lane
Poway, CA 92064

Full name of sixth inventor: Eileen O'Donoghue

Inventor's signature: Eileen O'Donoghue

Date: 12.17.01

Residence: San Diego, CA 92107

Citizenship: USA

Post Office Address: 1073 Loring Street
San Diego, CA 92107

Full name of seventh inventor: Eric J. Mathur

Inventor's signature: _____

Date: _____

Residence: Carlsbad, CA 92009

Citizenship: USA

Post Office Address: 2654 Galicia Way
Carlsbad, CA 92009

Full name of fifth inventor: James B. Garrett

Inventor's signature: _____

Date: _____

Residence: Poway, CA 92064

Citizenship: USA

Post Office Address: 13605 Sycamore Tree Lane
Poway, CA 92064

Full name of sixth inventor: Eileen O'Donoghue

Inventor's signature: _____

Date: _____

Residence: San Diego, CA 92107

Citizenship: USA

Post Office Address: 1073 Loring Street
San Diego, CA 92107

Full name of seventh inventor: Eric J. Mathur

Inventor's signature:  _____

Date: 12/17/91

Residence: Carlsbad, CA 92009

Citizenship: USA

Post Office Address: 2654 Galicia Way
Carlsbad, CA 92009

Qado R

In re Application of:

Jay M. Short et al.

Application No.: Unassigned 09/866,379

Filed: May 24, 2001

Page 2

PATENT

Attorney Docket No.: DIVER1370-7

I hereby authorize and request insertion of the application number of the
Application when officially known.

Direct all telephone calls to:

LISA A. HAILE, PH.D.

Telephone: (858) 677-1456

Address all correspondence to:

LISA A. HAILE, PH.D.

GRAY CARY WARE & FREIDENRICH LLP

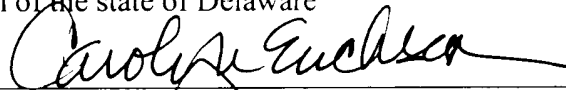
4365 Executive Drive, Suite 1600

San Diego, CA 92121

DIVERSA CORPORATION

A corporation of the state of Delaware

By:



Name:

Carolyn Erickson

Title:

Vice President Intellectual Property

Date:

5/18/01